

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. CV 16-678 JAP/WPL
CR 08-521 JAP

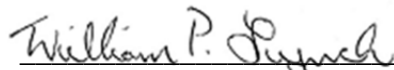
PAUL J. VASQUEZ,

Defendant.

ORDER GRANTING MOTION TO WITHDRAW MOTION TO STAY

On October 4, 2016, the United States filed an opposed motion to stay these proceedings pending the Supreme Court's decision in *Beckles v. United States* (S. Ct. No. 15-8544). (CV Doc. 5.) Pursuant to the Tenth Circuit's decision in *United States v. Miller* (Nov. 2, 2016 10th Cir. No. 16-8080) and Defendant Paul Vasquez's projected release date in February 2017, the United States now seeks to withdraw its motion to stay and asks for fourteen days from the date of entry of this Order to file a response to Vasquez's motion under 28 U.S.C. § 2255. (Doc. 7.) Under the circumstances, the United States's motion is granted. The motion to stay (Doc. 5) is withdrawn and the United States will file its response to Vasquez's motion within fourteen days from the date of entry of this Order. Vasquez will then have the customary seventeen days to reply.

It is so ordered.



UNITED STATES MAGISTRATE JUDGE